

ECF Informer

ISSUE 6

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Internet Payment Error

Users should be aware of a communication issue between the Treasury (pay.gov) website and the Court's CM/ECF server. ECF Filers may from time to time encounter this communication error while paying for their Internet filing fees. The following error screen will appear:

"An error has been detected in CM/ECF. Please call the court immediately and provide the transaction ID number and the filer's name and phone number. If you see the payment screen again, click the Continue Filing button."

ECF Filers should be aware of the following:

- the user's credit card has been charged for the filing fee
- the payment does not post to CM/ECF, so it appears to the e-filer and to the court as if the payment is still outstanding
- the e-filer should call the court's financial department (524-6680) and should NOT pay for the fee again when requested by the system.
- Once notified, the court can remove the filing fee request from the system and docket a receipt for the filing fee to the appropriate case.

En Banc Hearing on Presumptive Chapter 13 Debtor Attorney's Fees

Attorneys and trustees are advised that a en banc hearing regarding presumptive chapter 13 Debtor Attorney's fees will be held on March 3, 2006 from 10:00 to 12:00 Noon in Courtroom 369.

Written responses and comments are due by Friday, February 24, 2006, and may be electronically-filed (via CM/ECF) using miscellaneous case number 06-50001, or by mailing any statement to: U.S. Bankruptcy Court, 350 South Main Street, Salt Lake City, Utah, 84101-Attention: Clerk of Court.

Written statements must be filed by February 24, 2006 and can be viewed on the court's website at www.utb.uscourts.gov or in the above named case in the CM/ECF database.

New Procedure for Requesting Fee Refunds

Previously run in Issue 5 (October 2005)

It has been a long-standing procedure to send the Clerk a letter or email whenever a refund has been requested. Refunds may be given for various reasons: fee paid twice; case filed twice; fee not actually owed, etc.,.

This procedure has changed significantly recently. Any refund request must be in the form of a ex parte motion and pending order, and should be filed in the case where the fee in question was paid. Obviously, the result will either be an entered order granting the fee refund, or an unsigned order explaining why the order was not signed/entered.

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CM/ECF

INFORMATION

CM/ECF Filing Stats for December and January

ECF filers opened 183 bankruptcy and adversary cases in December 05, which represents 72% of the new case load for this (253 total cases).

In January 2006, ECF filers opened 228 cases which represented 67% of the new case load (338 total cases).

Clearing Cache in Your Browser

In order to speed up web browsing, web browsers are designed to download web pages store them locally on your machine in an area called "cache." When you visit the same page for a second time, the browser speeds up display time by loading the page locally from cache instead of downloading everything again.

This sometimes results in less than current versions of web pages being displayed, and can cause computer lock-ups or **unusual behavior with CM/ECF**. If you believe that you have a less than current version of a page or are experiencing problems with your computer, the cache is probably to blame.

Please follow the following steps to clear the cache in your browser. Note, the directions vary depending on whether you use the Netscape, Internet Explorer.

Clearing Cache on Netscape Communicator / Navigator 8.0

- Click Tools and select Options.
- Select Privacy under Options on the left side of the screen.
- Click on Cache.
- Click on Clear Cache
- Click on Clear.
- Click on OK

*You can set up your Netscape browser to clear the cache each time you exit the browser. See **Netscape is Pre-Fetching** in page 4.*

Clearing Cache on Microsoft Internet Explorer 6.0

- Click Start, select Settings and Control Panel.
- Double-click Internet Options to open Internet Properties.
- Click Delete Files.
- Click OK on the Delete Files dialog box. Click OK.

REQUEST FOR REISSUANCE OF SUMMONS (NO IMAGE)

Previously ran in Issue 3 (April 2005)

You now have the ability to request that new summons be issued by the court. The new event can be found under the ADVERSARY menu, in the Notices/Other category. This is a *no image* event, so it will not be necessary to create a document before filing the event.

After you have requested the reissuance, the Clerk's Office will make the necessary modifications and a new 10 day extension will appear on the summons in the adversary case. The attorney/trustees should check the docket sheet to obtain the reissued summons from the docket within 6 hours after making their request entry (Unless a weekend/holiday is involved). The new docket text will appear as follows:

"Summons Issued Summons Reissued on Greg C. Kidman. Please note: Summons originally issued 1/26/04 (deed,) Modified on 4/6/2004 (gmg,). (EOD: 01/26/2004)"

You should be aware that the image of a summons will now expire 11 days after being issued and will not be viewable. An alternative message will appear if the summons has expired.

Creditor Counseling Certificates and Debtor Education Financial Management Filing Information

Creditor Counseling Certificates

Attorneys who file the “Credit Counseling Agency Briefing Certificates (prefiling)” can do so using the categories “Other” or “Debtor Events.” To streamline the filing of this event for a joint case, combine the certificates as one document and file it as one docket entry. If the certificates are filed in a joint case as separate events, please remember to pick the appropriate party filer, i.e. Jane Doe certificate entry filed by Jane Doe and John Doe certificate filed by John Doe.

Filers should not use Official Form B23 (Debtor’s Certification of Completion of Instructional Course Concerning Personal Financial Management) with this type of event.

Debtor Education Financial Management

The event, “Financial Management Course Certificate” is also available in both the “Other” and “Debtor Events” categories. Attorneys should file Official Form B23 (Debtor’s Certification of Completion of Instructional Course Concerning Personal Financial Management) along with the certificates when filing this event. The Office of the United States Trustee has indicated that a “filing without Form B23 will not be sufficient and debtors should file a statement prepared as prescribed by the appropriate official form.” Attorneys should combine both the Financial Management Course Certificate(s) and Form B23 before docketing it to the case. Form B23 is available at the court’s website under BK Forms.

Using the tilde “~” Character when Docketing

ECF filers should **not** use the tilde (~) character in the text of their docket entries. Using this character creates a syntax error in the database and will not allow other users to link to a docket entry containing the tilde.

CM/ECF Notes



There are other new events that everyone should be aware of. In the Chapter 13 practice area: “Declaration Re Claims Review” can be found in the Debtor’s Events category, a new event for Chapter 13 Trustees, “Trustee’s Claims Report (Chapter 13)” can be found in the Trustee category. These two event codes are used post-confirmation in relation to changes made in the Chapter 13 procedures via Standing Order #1. We have also added Notice to Individual Consumer Debtor to both the Notices and Debtor Events categories and Notice of Consent to Substitute Counsel, found in the Debtor Events category.

A new document “**Statistical Summary of Certain Liabilities**” is presently many times being filed as a page in the schedules, and this document should be filed and docketed separately. Please file this apart from the schedules. If your office is using prepackaged software, the alteration to make this document stand alone is easy to accomplish. Also, some efilers are filing the Means Test along with the schedules, and this document should also be filed separately, using its own event code. Finally, some efilers are occasionally still filing the B21(Statement of Social Security) with the schedules or voluntary petition, and this document has to be separate. It is protected from public view through a restricted event code, thus making it necessary to file and docket by itself.

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Netscape is Pre-Fetching

If you are using Netscape version 8.x, here is a tip to help keep your browser's cache from rapidly filling up and slowing down your connection and browsing experience. The Netscape has a feature enabled by default that looks at all the hyperlinks on the page and then saves (caches) them. The idea is to preload or pre-fetch the web pages that you may possibly be visiting, thereby making the loading of pages faster.

The main problem here is that you are getting pages cached that may never be seen by you. If you do a lot of "web surfing", your cache will fill and the browser will slow.

There is an easy fix for this. You just need to turn the feature off. This is done by:

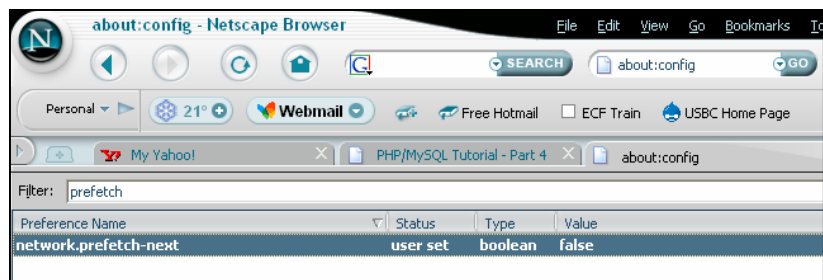
1. Launching your Netscape 8.x browser.
2. In the address field, type **about:config**.
3. In the **Filter** box, type **prefetch**. This will bring up the option line for the prefetch feature, labeled **network.prefetch-next**. It should be status **default** and value **true**.
4. Double click on the line, and it will go bold and the status will be **user set** and value **false** (see below).

That will turn off the pre-fetch. You can clear your cache in Netscape by going to **Tools > Options** and then clicking on the **Privacy** option. This will give you the privacy controls. You can click on the Clear button to clear the cache, or click on the [+] sign and open the cache option. From here, you can set the size on the cache file in kilobytes (1,000's) or select the option to clear the cache each time you exit the browser.

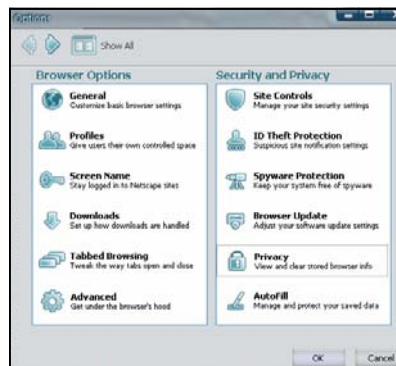
What is Cache?

All browsers store the pages that you visit. This allows for a page to reload faster when you hit the back button. These pages are stored in a folder called Cache. This is not the same as the History folder that also stores the pages that you have been to. In Netscape, the browser will cache pre-fetched pages—pages you may not go to.

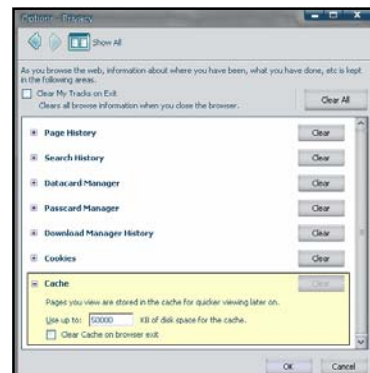
Clearing the cache will not necessarily clear the history, and visa-versa.



↑ Here is the pre-fetch option set to false, which will prevent Netscape from pre-loading web pages. Type **about:config** in the address box; **prefetch** in the Filter box; and double click to set the value to false. For good measure, exit and re-launch your browser.



The Options window. Click on Privacy to access cache settings



Cache settings expanded (in yellow).